

DECLARATION OF THE HONORABLE JESSICA AGNELLY

I, Jessica Agnelly, in accordance with 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

1. I serve as Associate Circuit Judge for Division 25 of the 16th Judicial Circuit of Jackson County, Missouri.
2. I have been assigned a landlord-tenant docket by Presiding Judge David Byrn through Administrative Orders 2019-085, 2019-196, and 2020-152.
3. Since the Centers for Disease Control published an order titled “Temporary Halt in Residential Evictions to Prevent Further Spread of COVID-19” in the Federal Register on September 4, 2020, I have held one hearing based on a challenge to the veracity or validity of a defendant’s CDC declaration. After the hearing, I found that the plaintiff did not carry his burden to set aside the declaration and found in favor of the defendant.
4. One plaintiff’s attorney has made oral motions challenging a defendant’s CDC declarations in approximately 20 cases before me. This attorney has filed approximately 10 written challenges to CDC declarations with the Court, but has indicated that most of her clients are choosing to wait until January 2021 to resolve the cases.
5. Currently, I have no hearings scheduled regarding challenges to a defendant’s CDC declaration.

Executed on October 30, 2020.

/s/ Jessica Agnelly
Hon. Jessica Agnelly